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| 10/807,628      | 03/23/2004  | Paily T. Varghese    | 200315533-1         | 4029             |

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EXAMINER

HARRIS, ANTON B

ART UNIT PAPER NUMBER

2831

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/807,628

Applicant(s)

VARGHESE ET AL.

Examiner

Anton B. Harris

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) 27-30 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election without traverse of claims 1-26 in the reply filed on 27 July 2005 is acknowledged.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claim 23 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claim 23 recites the limitation "the portion" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Mazura et al. (5,441,337).

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Regarding claim 1, Mazura et al. (col. 4, lines 14-67) discloses an electronic device comprising:

one or more electrical components (col. 4, lines 14-18); a housing 1 for containing the electrical components (col. 4, lines 14-18), the housing 1 comprising a bottom component (col. 4, lines 14-18) configured to have at least some of the electrical components (col. 4, lines 14-18) positioned thereon, the bottom component (col. 4, lines 14-18) joined to bottom portions of a pair of sidewalls 2, the bottom portions contained in a plane extending therebetween; and, at least some portions of the bottom component (col. 4, lines 14-18) being more proximate the plane when the electrical components (col. 4, lines 14-18) are positioned thereon than in the absence of the electrical components (col. 4, lines 14-18).

Regarding claim 2, Mazura et al. (col. 4, lines 14-67) discloses that the portions of the bottom component (col. 4, lines 14-18) comprise a majority of the bottom component (col. 4, lines 14-18).

Regarding claim 3, Mazura et al. (col. 4, lines 14-67) discloses that the portions of the bottom component (col. 4, lines 14-18) comprise at least a first portion which lies parallel to the plane in both the presence and absence of the electrical components (col. 4, lines 14-18).

Regarding claim 4, Mazura et al. (col. 4, lines 14-67) discloses that a top component (col. 4, lines 14-18) is configured to be attached to the sidewalls 2 and thereby causing at least the first portion of the bottom component (col. 4, lines 14-18) to be displaced toward the top component (col. 4, lines 14-18).

Regarding claim 5, Mazura et al. (col. 4, lines 14-67) discloses an electronic device housing comprising: a pair of sidewall 2 components (col. 4, lines 14-18) extending between

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respective top sidewall 2 portions and bottom sidewall 7 portions, the bottom sidewall portions 7 lying in a plane that extends between the bottom sidewall portions 7; and, a bottom component (col. 4, lines 14-18) joined with and extending between the bottom sidewall portions 7, wherein the bottom component (col. 4, lines 14-18) has a non-loaded disposition relative to the plane and a loaded disposition relative to the plane, and wherein at least a portion of the bottom component (col. 4, lines 14-18) is closer to the plane in the loaded disposition than in the non-loaded disposition.

Regarding claim 6, Mazura et al. (col. 4, lines 14-67) discloses that the non-loaded disposition and in the loaded disposition, at least a majority of the bottom component (col. 4, lines 14-18) lies on the same side of the plane.

Regarding claim 7, Mazura et al. (col. 4, lines 14-67) discloses that the loaded disposition at least a majority of the bottom component (col. 4, lines 14-18) is on the same side of the plane as the top portions.

Regarding claim 8, Mazura et al. (col. 4, lines 14-67) discloses that the bottom component (col. 4, lines 14-18) and the pair of sidewall components (col. 4, lines 14-18) are formed from a single piece of material.

Regarding claim 9, Mazura et al. (col. 4, lines 14-67) discloses that the single piece of material comprises a base pan 7.

Regarding claim 10, Mazura et al. (col. 4, lines 14-67) discloses that the portion of the bottom component (col. 4, lines 14-18) is generally oriented along the length.

Regarding claim 11, Mazura et al. (col. 4, lines 14-67) discloses that the portion of the bottom component (col. 4, lines 14-18) extends along an entirety of the length.

Regarding claim 12, Mazura et al. (col. 4, lines 14-67) discloses that the portion of the bottom component (col. 4, lines 14-18) is generally oriented along the width.

Regarding claim 13, Mazura et al. (col. 4, lines 14-67) discloses an electronic device comprising: a base pan 7 having a first unassembled configuration and a second assembled configuration; and, a top 4 configured to be assembled with the base pan 7 such that at least a portion of the base pan 7, in the assembled configuration, is more upwardly disposed toward the top than in the unassembled configuration.

Regarding claim 14, Mazura et al. (col. 4, lines 14-67) discloses that the base pan 7 comprises a bottom component (col. 4, lines 14-18) and two sidewall components (col. 4, lines 14-18).

Regarding claim 15, Mazura et al. (col. 4, lines 14-67) discloses that the base pan 7 comprises a bottom component (col. 4, lines 14-18), two sidewall components (col. 4, lines 14-18) and a back wall component (col. 4, lines 14-18).

Regarding claim 16, Mazura et al. (col. 4, lines 14-67) discloses that the base pan 7 comprises a bottom component (col. 4, lines 14-18) and two sidewall components (col. 4, lines 14-18), and wherein in the unassembled configuration individual sidewall 2 components (col. 4, lines 14-18) intersect the bottom component (col. 4, lines 14-18) at an acute angle, and wherein in the assembled configuration individual sidewall 2 components (col. 4, lines 14-18) intersect the bottom component (col. 4, lines 14-18) at a right angle.

Regarding claim 17, Mazura et al. (col. 4, lines 14-67) discloses that the assembled configuration the bottom component (col. 4, lines 14-18) has a generally concave shape that is oriented away from the top.

Regarding claim 18, Mazura et al. (col. 4, lines 14-67) discloses that the concave shape of the bottom component (col. 4, lines 14-18) lies on the same side of the plane as the top.

Regarding claim 19, Mazura et al. (col. 4, lines 14-67) discloses an electronic device comprising: a base pan 7 configured to have at least one electrical component (col. 4, lines 14-18) positioned thereon; and, a top component (col. 4, lines 14-18) configured to be assembled with the base pan 7, wherein at least a portion of the base pan 7 being configured such that assembly of the base pan 7 and the top component (col. 4, lines 14-18) causes the portion to be disposed toward the top component (col. 4, lines 14-18).

Regarding claim 20, Mazura et al. (col. 4, lines 14-67) discloses that the base pan 7 comprises a bottom component (col. 4, lines 14-18) and a pair of sidewall 2 components (col. 4, lines 14-18) which define a width of the bottom component (col. 4, lines 14-18).

Regarding claim 21, Mazura et al. (col. 4, lines 14-67) discloses that the base pan 7 has a length extending orthogonally to the width and wherein the portion extends an entirety of the length.

Regarding claim 22, Mazura et al. (col. 4, lines 14-67) discloses that the base pan 7 has a length extending orthogonally to the width and wherein the portion extends less than an entirety of the length.

Regarding claim 23, Mazura et al. (col. 4, lines 14-67) discloses that the portion extends generally along the width.

Regarding claim 24, Mazura et al. (col. 4, lines 14-67) discloses an electronic device comprising: a base pan 7 having an unassembled flexure disposition and an assembled flexure disposition which is different from the unassembled flexure disposition; and, a top component

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(col. 4, lines 14-18) configured to be assembled with the base pan 7 to provide the base pan 7 into its assembled flexure disposition, wherein the assembled flexure disposition is more flexed than the unassembled flexure disposition.

Regarding claim 25, Mazura et al. (col. 4, lines 14-67) discloses that the assembled flexure disposition is concave away from the top component (col. 4, lines 14-18).

Regarding claim 26, Mazura et al. (col. 4, lines 14-67) discloses a server housing comprising: a bottom component (col. 4, lines 14-18) configured to have electrical components (col. 4, lines 14-18) positioned thereon; and, a first sidewall 2 component (col. 4, lines 14-18) joined with the bottom component (col. 4, lines 14-18) at a first intersection and at least a second sidewall 2 component (col. 4, lines 14-18) joined with the bottom component (col. 4, lines 14-18) at a second intersection, wherein the first and second intersections lie in a plane, and wherein a portion of the bottom component (col. 4, lines 14-18) is displaced away from the plane and being configured such that positioning electric components (col. 4, lines 14-18) on the bottom component (col. 4, lines 14-18) will cause the portion to deflect toward the plane.

### *Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hahn U.S. Patent No. 5,165,770 discloses an equipment cabinet that houses electronic components and includes a base portion, sidewalls, and a top portion.

Sevier U.S. Patent No. 5,574,251 discloses an equipment cabinet that houses electronic components and includes a base portion, sidewalls, and a top portion.



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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anton B Harris whose telephone number is (571) 272-1976. The examiner can normally be reached on weekdays from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr.

Dean Reichard, can be reached on (571) 272-2800 ext 31. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

abh

10/17/05

  
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